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| 9 | Attorneys for Defendant Schiff Nutrition International, Inc. | | | | |
| 11 | I B HEED OF A TEG DIGEDICE COLUDE | | | | |
| 12 | UNITED STATES DISTRICT COURT | | | | |
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| 14 | RICHARD R. SWILLINGER, | Case No. C07-00986 PJH | | | |
| 15 | Plaintiff, | STIPULATION OF DISMISSAL WITH PREJUDICE AND ORDER | | | |
| 16 | V. | | | | |
| 17 | SCHIFF NUTRITION INTERNATIONAL, INC. | | | | |
| 18 | Defendant. | The Honorable Phyllis J. Hamilton | | | |
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| 21 | Plaintiff Richard R. Swillinger and de | fendant Schiff Nutrition International, Inc., | | | |
| 22 | through their undersigned counsel, hereby stipulate and agree that, pursuant to Rule 41(a)(1)(ii) of | | | | |
| 23 | the Federal Rules of Civil Procedure, this action shall be and hereby is dismissed with prejudice | | | | |
| 24 | in its entirety. Each party shall bear its own attorneys' fees and costs. | | | | |
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STOEL RIVES LLP
ATTORNEYS AT LAW

| 1 | DATED: December <u>1</u> 4 , 2007 | |
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| 2 | | STOEL RIVES LLP |
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| 4 | | By: 200 D-92 |
| 5 | | Attorneys for Defendant Schiff Nutrition International, Inc. |
| 6 | DATED D 1 2007 | |
| 7 | DATED: December, 2007 | |
| 8 | | Forden Athearn, Esq. |
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| 10 | | By: Attorney for Plaintiff Richard R. Swillinger |
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STOEL RIVES LLP ATTORNEYS AT LAW PORTLAND

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| By: Altorneys for Defendant Schiff Nutrition International, Inc. By: Altorneys for Defendant Schiff Nutrition International, Inc. Forden Atheum, Esq. By: Altorneys for Pelantiff Richard R. Swillinger 10 11 12 13 14 15 16 12/17/07 18 19 20 21 22 23 24 25 26 27 28 Sauk Bouk Live State Control of the Con | | | |
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| Forden Atheam, Esq. By: Antorney for Plaintiff Richard R. Swillinger 11 12 13 14 15 16 12/17/07 18 19 20 21 22 23 24 25 26 27 28 Spall Forden Atheam, Esq. Forden Atheam, Esq. By: Antorney for Plaintiff Richard R. Swillinger TI IS SO ORDERED Judge Phyllis J. Hamilton Judge Phyllis J. Hamilton DISTRICT OR Spall Forden Atheam, Esq. | | | Attorneys for Defendant |
| Forden Atheam, Esq. By: Anomely for Plaintiff Richard R. Swillinger 11 12 13 14 15 16 12/17/07 18 19 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 28 SAGE FORDER LEP 29 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 29 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 29 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 28 SAGE FORDER LEP 29 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 29 20 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 29 20 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 29 20 20 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 29 20 20 20 21 22 23 24 25 26 27 28 SAGE FORDER LEP 29 20 20 20 20 20 20 20 20 20 | | | Scuitt Lantinon museum and |
| Forden Atheam, Esq. By: Attorney for Plaintiff Richard R. Swillinger 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 Should Block Libe States Should Block Libe State | | DATED Avader 2007 | |
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| 1 2 3 4 5 6 | EDWARD C. DUCKERS (Bar No. 242113) ecduckers@stoel.com STOEL RIVES LLP 111 Sutter Street, Ste 700 San Francisco, CA 94104 Telephone: (415) 617-8900 Facsimile: (415) 676-3000 KENNETH B. BLACK (Bar No. 148026) kbblack@stoel.com STOEL RIVES LLP 201 S. Main St., Ste 1100 Salt Lake City, Utah 84111 | | |
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| 9 | Attorneys for Defendant Schiff Nutrition International, Inc. | | |
| 10 11 | | | |
| 12 | UNITED STATES DISTRICT COURT | | |
| 13 | NORTHERN DISTR | ICT OF CALIFORNIA | |
| 14 | RICHARD R. SWILLINGER, | Case No. C07-00986 PJH | |
| 15 | Plaintiff, | DECLARATION OF SERVICE OF STIPULATION OF DISMISSAL WITH | |
| 16 | v. | PREJUDICE | |
| 17 | SCHIFF NUTRITION INTERNATIONAL, INC. | | |
| 18 | Defendant. | The Honorable Phyllis J. Hamilton | |
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| 21 | The undersigned declares that a true and correct copy of the Stipulation of Dismiss | | |
| 22 | with Prejudice, along with a copy of this Declara | ation of Service, was mailed this 14 th day of | |
| 23 | December, 2007, via U.S. First Class Mail, posta | • | |
| 24 | | • | |
| 25 | Plaintiff Richard R. Swillinger, at his address of record. | | |
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| STOEL RIVES LLP | 1 | | |

ATTORNEYS AT LAW

| 1 | DATED: December 4, 2007 | |
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| 5 | By: Michelle M. Cerutti Legal Assistant | |
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